

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 09-0317-2488-01

ELECTIONS: UNIT X(-2) (*Wells X(-2) & X(-2A)*)
(herein Subject Drilling Unit)

REPORT OF BOARD
FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on December 17, 2013 which was recorded at Document 140000208 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on February 10, 2014, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit X(-2);

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company 38 E. Valley Drive, Bristol, VA 24201, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

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Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 29 day of May, 2014 by a majority of the Virginia Gas and Oil Board.

Bradley C. Lambert

Chairman, Bradley C. Lambert

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 29th day of May, 2014 personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Diane J. Davis

Diane J. Davis, Notary Public
174394



My Commission expires: September 30, 2017

DONE AND PERFORMED this 30 day of May, 2014 by Order of the Virginia Gas and Oil Board.

Rick Cooper

Rick Cooper
Principal Executive to the
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 30th day of May, 2014 personally before me a notary public in and for the Commonwealth of Virginia, appeared Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Diane J. Davis

Diane J. Davis, Notary Public
174394



My Commission expires: September 30, 2017

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in Unit X(-2)
VGOB 09-0317-2488-01 in the Prater District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land LLC, as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on December 17, 2013, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Lebanon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on February 10, 2014;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of December 17, 2013;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

None

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

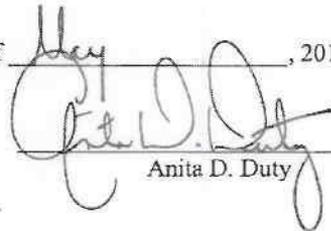
None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

See attached Exhibit EE

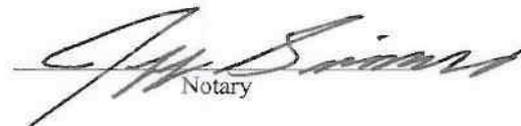
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 16th day of May, 2014.

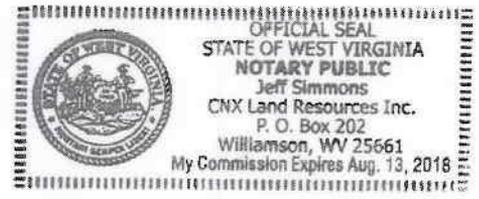

Anita D. Duty

STATE OF WEST VIRGINIA
COUNTY OF MERCER

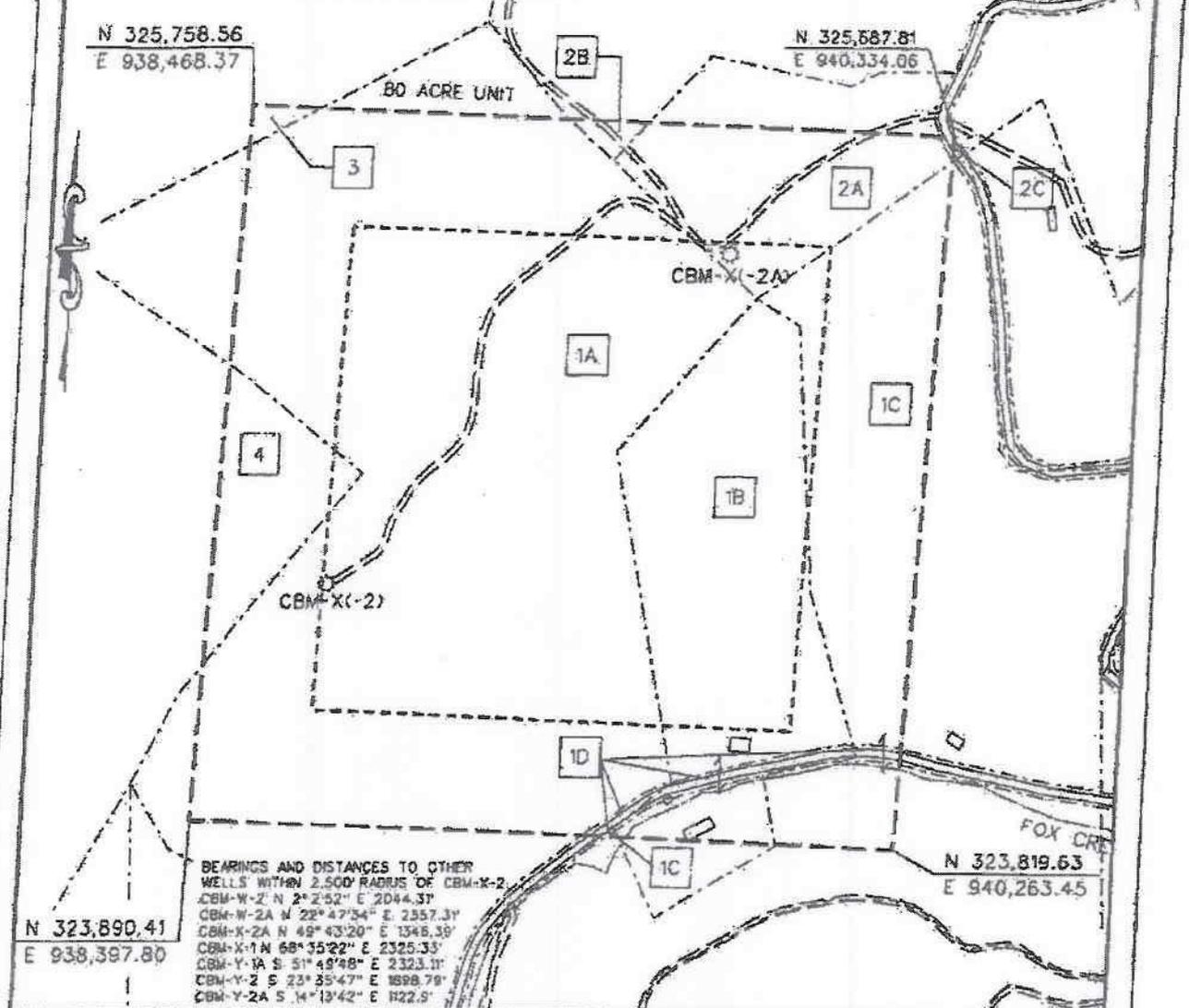
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land LLC, on behalf of the corporate Designated Operator, this 16th day of May, 2014.


Notary

My commission expires: August 13, 2018



Property lines shown on this plot were provided by CNX Gas Company LLC and were taken from deed descriptions and chains of title of record. This does not represent a current boundary survey. This certification is as to the size, shape and location of the proposed unit.



CBM WELL
 PROPOSED CBM WELL

EXHIBIT A
DAKWOOD FIELD
UNIT X(-2)
FORCE POOLING
VG08 09-0317-2488-01

Company CNX Gas Company LLC Well Name and Number UNIT X(-2)
 Tract No. _____ Elevation _____ Quadrangle PRATER
 County BUCHANAN District PRATER Date: Digitally signed by James R Dilts Jr. 2013.08.02 11:25:06 -0400
 This plat is a new plat _____ or update _____
 Form OGD-60-7 _____
 Rev. 9/91 _____ Licensed Professional Eng _____
 DR: James R Dilts Jr., P.E., U.S. Golden Trust ACES Business Representative, KATY PRICE
 ENGINEERING AND LAND SURVEYING INC PC
 Date: 2013.08.02 11:25:06 -0400

CNX Gas Company LLC**UNIT X(-2)****Tract Identifications**

1. Levisa Coal Company, Tract 36 (881.47 Acre Tract) – Coal
Jewell Smokeless Coal Corporation – Coal in Tiller and Above Leased
CNX Gas Company LLC – CBM Leased
John W. Pobst, Jr., et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
70.79 acres 88.4875%
- 1A. Stella Breeding – Surface Owner
- 1B. Unknown Surface Owner
- 1C. Unknown Surface Owner
- 1D. Commonwealth of Virginia – Surface Owner
2. Levisa Coal Company, Tract 24 (672.73 Acre Tract) – Coal
Jewell Smokeless Coal Corporation – Coal in Tiller and Above Leased
CNX Gas Company LLC – CBM Leased
John W. Pobst, Jr., et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
5.56 acres 6.9500%
- 2A. Unknown Surface Owner
- 2B. Unknown Surface Owner
- 2C. Commonwealth of Virginia – Surface Owner
3. Levisa Coal Company, Tract 26 (230.81 Acre Tract) – Coal
Jewell Smokeless Coal Corporation – Coal in Tiller and Above Leased
CNX Gas Company LLC – CBM Leased
John W. Pobst, Jr., et al – Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
Unknown Surface Owner
0.22 acres 0.2750%
4. ACIN, LLC (2053.22 Acre Tract) – Coal
Alpha Land Reserves, LLC – Coal Leased
Range Resources – Pine Mountain – Oil
Yellow Poplar Lumber Company – Gas
EQT Production Company (50%)/Range Resources-Pine Mountain (50%) – Oil Leased
Heartwood Forestland Fund IV, L.P. – Surface
3.43 acres 4.2875%

(This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coalbed methane ownership and should not be relied upon for such purpose.)

140001131

	Acres in Unit	Percent of Unit	Election
I. COAL OWNERSHIP			
<u>Tract #4 - 3.43 acres</u>			
(1) ACIN LLC (2053.22 Acre Tract) c/o Western Pocahontas Properties LP 5260 Irwin Rd. Huntington, WV 25702-3247	3.43 acres	4.2875%	Deemed Leased
II. OIL & GAS OWNERSHIP			
<u>Tract #4 - 3.43 acres</u>			
(1) Yellow Poplar Lumber Company* (Gas interest only) Address Unknown	3.43 acres	4.2875%	Deemed Leased
* The Oil interest is leased by Range Resources-Pine Mountain Inc. (50%) and EQT Production Company (50%). RRPM previously participated with this interest, but later realized they didn't own the property.			
<u>TOTAL UNLEASED:</u>			
	Acreage in Unit	3.43	
	Percentage of Unit	4.2875%	

Exhibit E
Unit X(-2)
Docket #VGOB 09-0317-2488-01
List of Owners/Claimants requiring Escrow

140001131

	Acres in Unit	Percent of Unit
<u>Tract #4 - 3.43 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) ACIN LLC (2053.22 Acre Tract) c/o Western Pocahontas Properties LP 5260 Irwin Rd. Huntington, WV 25705-3247	3.43 acres	4.2875%
<u>OIL & GAS OWNERSHIP</u>		
(1) Yellow Poplar Lumber Company (Gas Interest only) Address Unknown	3.43 acres	4.2875%
<u>TOTAL CONFLICTS:</u>		
Acreage in Unit	3.43	
Percentage of Unit		4.2875%

Exhibit EE
Unit X(-2)
Docket #VGOB 09-0317-2488-01
List of Owners/Claimants with Royalty Split Agreements

140001131

	Acres in Unit	Percent of Unit
<u>Tract #1 - 70.79 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Levisa Coal Company Tr. 36 (861.47 Acre Tract) c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	70.79 acres	88.4875%
<u>OIL & GAS OWNERSHIP</u>		
(1) John W. Pobst, Jr., et al. (861.47 Acre Tract)	70.79 acres	88.4875%
(a) Fairview Limited Partnership c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	17.70 acres 1/4 of 70.79 acres	22.1219%
(b) Carol C. Irvin 4710 Hunterwood Circle Richmond, TX 77406	5.90 acres 1/12 of 70.79 acres	7.3740%
(c) F.H. Combs Testamentary Trust c/o Trustees P.O. Box 841 Tazewell, VA 24651	5.90 acres 1/12 of 70.79 acres	7.3740%
(d) Martha E. Combs c/o Benjamin F. Edwards & Company 208 West Main St., Ste 400 Tazewell, VA 24651	5.90 acres 1/12 of 70.79 acres	7.3740%
(e) John W. Pobst, Jr. Box 86 Revere, PA 18953	5.90 acres 1/12 of 70.79 acres	7.3740%
(f) Virginia Lee & Phillip Linwick 4324 South Bell Drive Veradale, WA 99037	5.90 acres 1/12 of 70.79 acres	7.3740%
(g) W. Kent Pobst Trust		
(g.1) Richard K. Pobst 1024 Oxford Drive St. Augustine, FL 32084-1821	5.90 acres 1/12 of 70.79 acres	7.3740%
(g.2) Catherine Pobst c/o Lynn R. Quick 111 Postelle Street Cartersville, GA 30120	5.90 acres 1/12 of 70.79 acres	7.3740%
(h) Meredith E. Jennings 542 Butler Mill Road Maryville, TN 37803	11.80 acres 1/6 of 70.79 acres	14.7479%

Tract #2 - 5.56 acres

COAL OWNERSHIP

(1) Levisa Coal Company Tr. 24 (672.73 Acre Tract) c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	5.56 acres	6.9500%
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Exhibit EE
Unit X(-2)
Docket #VGOB 09-0317-2488-01
List of Owners/Claimants with Royalty Split Agreements

140001131

	Acres in Unit	Percent of Unit
<u>OIL & GAS OWNERSHIP</u>		
(1) John W. Pobst, Jr., et al. <i>(672.73 Acre Tract)</i>	5.56 acres	6.9500%
(a) Fairview Limited Partnership c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	1.39 acres 1/4 of 5.56 acres	1.7375%
(b) Carol C. Irvin 4710 Hunterwood Circle Richmond, TX 77406	0.46 acres 1/12 of 5.56 acres	0.5792%
(c) F.H. Combs Testamentary Trust c/o Trustees P.O. Box 841 Tazewell, VA 24651	0.46 acres 1/12 of 5.56 acres	0.5792%
(d) Martha E. Combs c/o Benjamin F. Edwards & Company 208 West Main St., Ste 400 Tazewell, VA 24651	0.46 acres 1/12 of 5.56 acres	0.5792%
(e) John W. Pobst, Jr. Box 86 Revere, PA 18953	0.46 acres 1/12 of 5.56 acres	0.5792%
(f) Virginia Lee & Phillip Linwick 4324 South Bell Drive Veradale, WA 99037	0.46 acres 1/12 of 5.56 acres	0.5792%
(g) W. Kent Pobst Trust		
(g.1) Richard K. Pobst 1024 Oxford Drive St. Augustine, FL 32084-1821	0.46 acres 1/12 of 5.56 acres	0.5792%
(g.2) Catherine Pobst c/o Lynn R. Quick 111 Postelle Street Cartersville, GA 30120	0.46 acres 1/12 of 5.56 acres	0.5792%
(h) Meredith E. Jennings 542 Butler Mill Road Maryville, TN 37803	0.93 acres 1/6 of 5.56 acres	1.1583%

Tract #3 - 0.22 acres

COAL OWNERSHIP

(1) Levisa Coal Company <i>Tr. 26 (230.81 Acre Tract)</i> c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	0.22 acres	0.2750%
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OIL & GAS OWNERSHIP

(1) John W. Pobst, Jr., et al. <i>(230.81 Acre Tract)</i>	0.22 acres	0.2750%
(a) Fairview Limited Partnership c/o John C. Irvin, Managing Partner 4710 Hunterwood Circle Richmond, TX 77406	0.06 acres 1/4 of 0.22 acres	0.0688%
(b) Carol C. Irvin 4710 Hunterwood Circle Richmond, TX 77406	0.02 acres 1/12 of 0.22 acres	0.0229%

Exhibit EE
 Unit X(-2)
 Docket #VGOB 09-0317-2488-01
 List of Owners/Claimants with Royalty Split Agreements

140001131

	Acres in Unit	Percent of Unit
(c) F.H. Combs Testamentary Trust c/o Trustees P.O. Box 841 Tazewell, VA 24651	0.02 acres 1/12 of 0.22 acres	0.0229%
(d) Martha E. Combs c/o Benjamin F. Edwards & Company 208 West Main St., Ste 400 Tazewell, VA 24651	0.02 acres 1/12 of 0.22 acres	0.0229%
(e) John W. Pobst, Jr. Box 86 Revere, PA 18953	0.02 acres 1/12 of 0.22 acres	0.0229%
(f) Virginia Lee & Phillip Linwick 4324 South Bell Drive Veradale, WA 99037	0.02 acres 1/12 of 0.22 acres	0.0229%
(g) W. Kent Pobst Trust		
(g.1) Richard K. Pobst 1024 Oxford Drive St. Augustine, FL 32084-1821	0.02 acres 1/12 of 0.22 acres	0.0229%
(g.2) Catherine Pobst c/o Lynn R. Quick 111 Postelle Street Cartersville, GA 30120	0.02 acres 1/12 of 0.22 acres	0.0229%
(h) Meredith E. Jennings 542 Butler Mill Road Maryville, TN 37803	0.04 acres 1/6 of 0.22 acres	0.0458%

TOTAL CONFLICTS RESOLVED:

Acreage in Unit	76.57	
Percentage of Unit		95.7125%

INSTRUMENT #140001131
 RECORDED IN THE CLERK'S OFFICE OF
 BUCHANAN COUNTY ON
 JULY 8, 2014 AT 08:54AM

BEVERLY S. TILLER, CLERK
 RECORDED BY: GGB